1953

HOME

Letter 33310 Pr I/52-5

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FOR MYSORE STATE

P 27/E1

Letter No.38310
Prisons I/53.5

Fort St. George, Madras.9
Dated 28th June 1953.

HOME DEPARTMENT

From

Sri J. Subbuswamy, I.A.S.,
Deputy Secretary to Government.

To

The Secretary to the Government of India,
Ministry of Home Affairs,
New Delhi.

Sir,

PRISONERS - Transfer of ex.military prisoners belonging to the former Indian States and convicted by Court-Martial overseas or in India to States of origin - Adjustment of maintenance charges.

Ref: Shri C.P.S. Menon's letter No.30/1/50-P.1 dated 13.2.1953.

I am directed to say that the Government of Madras agree with the suggestion of the Government of India in their letter cited.

Yours faithfully,

J. Subbuswamy.

DEPUTY SECRETARY TO GOVERNMENT

tks.29.6

Copy to the Inspector General of Prisons, Madras with reference to his letter No.638-S2/53 dated 11.3.53.
Copy to Andhra and Mysore States (with enclosures)

Forwarded/By order

SUPERINTENDENT

GOVERNMENT OF MADRAS.
**

Copy of the letter No.30/1/50-P.1 dated ~~dated~~ the 13th February 1953 from the Government of India, Ministry of Home Affairs.

Sub: Transfer of ex-military prisoners, belonging to the former Indian States and convicted by courts-martial overseas or in India. to their States of origin

I am directed to refer to the correspondence resting with this Ministry's letter endorsement No.30/1/50-Police-I dated the 27th June 1952, on the above subject, and to say that, according to the opinion expressed therein by the Government of India, the maintenance charges of ex-military prisoners, belonging to the former Indian States and convicted by courts-martial overseas or in India and transferred to their States of origin are to be borne by their States of origin from the date they are received in their jails. A state Government has raised the question whether the entire maintenance charges of such prisoners from the date of their committal (in a State other than the State of origin) should not be borne by their States of origin just as similar maintenance charges of ex-military prisoners, belonging to the former Provinces and convicted by courts-martial overseas or in India and transferred to their Provinces of origin, are borne by the Provinces of origin irrespective of their place of confinement according to the instructions laid down in the late Home Department letter No.46/2/39-Jails, dated the 23rd February 1944(copy enclosed for ready reference). The Government of India are of the view that giving retrospective effect to the liability of States of origin for the maintenance charges of prisoners would involve unnecessary complications in making petty adjustments. They, therefore, consider that it would be simplest to follow the procedure suggested in their letter of the 27th June 1952 referred to above viz., that the maintenance charges should be borne by the States of origin from the date they are received in their jails. It may also be observed that this procedure is similar to the arrangements for maintenance charges of ex-military and other prisoners convicted by civil courts who are transferred to their States of origin, and therefore conduces to uniformity of treatment of the question in respect of all such prisoners whether convicted by military or civil courts.

2. The Government of India would be glad to be furnished with your views in the matter as early as possible.

/True copy/

R Swaminathan

Superintendent.

tks.27.6